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10/612,343	07/03/2003	Elena Lialiamou	59643.00208	3765

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EXAMINER

PHUONG, DAI

ART UNIT	PAPER NUMBER
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2617

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/612,343	Applicant(s) LIALIAMOU ET AL.	
	Examiner Dai A. Phuong	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's arguments, filed 12/28/2006, with respect to claims have been considered but are moot in view of the new ground(s) of rejection. Claims 1-46 are currently pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 4-5, 7-20, 35-36 and 39 are rejected under 35 U.S.C. 102(e) as being anticipated by Myatt et al. (Pub. No: 20030101135).

Regarding claim 1, Myatt et al. disclose a communications system comprising:

at least one user device, said at least one user device configured to access a plurality of services in a session (fig. 1, [0020] to [0058]);

a first entity including an information store configured to store information defining an amount of money for said at least one user device (fig. 1, [0020] to [0058]); and

a controller, separate to said first entity and said user device, configured to request that in the first entity, a portion of said amount of money be reserved at the first entity, as a reserved

portion and to control an allocation of said reserved portion between said plurality of services (fig. 1, [0020] to [0058]),

wherein the allocation is controlled after the request is made (fig. 1, [0020] to [0058]).

Regarding claim 2, Myatt et al. disclose all the limitation in claim 1. Further, Myatt et al. disclose a system wherein said reserved portion is divided into a plurality of parts between said plurality of services (fig. 1, [0020] to [0058]).

Regarding claim 4, Myatt et al. disclose all the limitation in claim 2. Further, Myatt et al. disclose a system wherein said reserved portion is reallocated between said plurality of services when at least one of said plurality of services uses up its part of said reserved portion (fig. 1, [0020] to [0058]).

Regarding claim 5, Myatt et al. disclose all the limitation in claim 1. Further, Myatt et al. disclose a system wherein said reserved portion is allocated based on which of said plurality of services requires said reserved portion (fig. 1, [0020] to [0058]).

Regarding claim 7, Myatt et al. disclose all the limitation in claim 1. Further, Myatt et al. disclose a system wherein said reserved portion is allocated based on at least one of: service activity; number of services; and a unit cost of said plurality of services (fig. 1, [0020] to [0058]).

Regarding claim 8, Myatt et al. disclose all the limitation in claim 1. Further, Myatt et al. disclose a system wherein said controller is configured to monitor how much of said reserved portion has been used (fig. 1, [0020] to [0058]).

Regarding claim 9, Myatt et al. disclose all the limitation in claim 8. Further, a system wherein said reserved amount is monitored by periodically determining how much of said reserved portion each of said plurality of services have used to provide a plurality of values and summing the plurality of values (fig. 1, [0020] to [0058]).

Regarding claim 10, Myatt et al. disclose all the limitation in claim 8. Further, Myatt et al. disclose a system wherein said controller is configured to monitor how much of said reserved portion has been used by using information defining a cost of said plurality of services (fig. 1, [0020] to [0058]).

Regarding claim 11, Myatt et al. disclose all the limitation in claim 10. Further, Myatt et al. disclose a system wherein said information comprises a cost for one of a data or time unit (fig. 1, [0020] to [0058]).

Regarding claim 12, Myatt et al. disclose all the limitation in claim 1. Further, Myatt et al. disclose a system wherein when said reserved portion is used up or has been at least partially used up a further portion of said amount of money is reservable (fig. 1, [0020] to [0058]).

Regarding claim 13, Myatt et al. disclose all the limitation in claim 1. Further, a system wherein a plurality of said plurality of services is accessed simultaneously (fig. 1, [0020] to [0058]).

Regarding claim 14, Myatt et al. disclose all the limitation in claim 1. Further, Myatt et al. disclose a system wherein said information store comprises one of: a monetary value; a data amount representative of said amount of money; a time representative of said amount of money; and an amount of a service access parameter (fig. 1, [0020] to [0058]).

Regarding claim 15, Myatt et al. disclose all the limitation in claim 1. Further, Myatt et al. disclose a system wherein at least one of said plurality of services comprises an Internet service (fig. 1, [0020] to [0058]).

Regarding claim 16, Myatt et al. disclose all the limitation in claim 1. Further Myatt et al. disclose a system wherein said controller comprises a plurality of entities (fig. 1, [0020] to [0058]).

Regarding claim 17, Myatt et al. disclose all the limitation in claim 16. Further, Myatt et al. disclose a system wherein said plurality of entities comprises at least one of a traffic analyzer and a credit controller (fig. 1, [0020] to [0058]).

Regarding claim 18, Myatt et al. disclose all the limitation in claim 1. Further, Myatt et al. disclose a system wherein said controller comprises a credit controller (fig. 1, [0020] to [0058]).

Regarding claim 19, Myatt et al. disclose all the limitation in claim 1. Further, a system wherein said at least one user device is arranged to access a plurality of different service classed in a session (fig. 1, [0020] to [0058]).

Regarding claim 20, Myatt et al. disclose all the limitation in claim 1. Further, Myatt et al. disclose a system wherein said controller is configured to store information relating to a cost of said plurality of services.

Regarding claim 35, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 36, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 39, this claim is rejected for the same reason as set forth in claim 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Myatt et al. (Pub. No: 20030101135) and in view of Masuda (Pub. No: 2003/0078031).

Regarding claim 3, Myatt et al. disclose all the limitation in claim 2. However, Myatt et al. do not a system wherein said reserved portion is divided equally ([0046] to [0052]).

In the same field of endeavor, Masuda discloses a system wherein said reserved portion is divided equally ([0046] to [0052]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the communication system of Myatt et al. by specifically including a system wherein said reserved portion is divided equally, as taught by Masuda, the motivation being in order to provide a plurality of prepaid services at the same time and high quality services.

Regarding claim 6, Myatt et al. disclose all the limitation in claim 1. However, Myatt et al. do not disclose a system wherein said reserved portion is allocated dynamically.

In the same field of endeavor, Masuda discloses a system wherein said reserved portion is allocated dynamically ([0046] to [0052]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the communication system of Myatt et al. by specifically including a system wherein said reserved portion is allocated dynamically, as taught by Masuda, the motivation being in order to provide a plurality of prepaid services at the same time and high quality services.

6. Claims 21-34, 37-38 and 40-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Myatt et al. (Pub. No: 20030101135) in view of Ephraim et al. (Pub. No: 20040077332).

Regarding claim 21, Myatt et al. disclose a communications system comprising:

at least one user device, said at least one user device being configured to access a plurality of services simultaneously (fig. 1, [0020] to [0058]);

a first entity configured to store information defining an amount of money for said at least one user device (fig. 1, [0020] to [0058]); and

a controller configured to request reservation of a portion of said amount of money as a reserved portion, and to control an allocation of said reserved portion between said plurality of services (fig. 1, [0020] to [0058]).

However, Myatt et al. do not disclose wherein said first entity is configured to send to said controller information defining an amount of said reserved portion in a first form other than a monetary amount and said controller is arranged to convert information relating to said amount of said reserved portion to a second form as a monetary amount.

In the same field of endeavor, Ephraim et al. disclose wherein said first entity is configured to send to said controller information defining an amount of said reserved portion in a first form other than a monetary amount and said controller is arranged to convert information relating to said amount of said reserved portion to a second form as a monetary amount ([0040] to [0041] and [0054] to [0055]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the communication system of Myatt et al. by specifically including wherein said first entity is configured to send to said controller information defining an amount of said reserved portion in a first form other than a monetary amount and said controller is arranged to convert information relating to said amount of said reserved portion to a second form as a monetary amount, as taught by Ephraim et al., the motivation being in order to determine whether a particular requested data transfer should be authorized or continue based upon the amount of payment in term of money to be charged against to subscriber account, it needs to covert an amount of tokens into an amount of money. Additionally, it determines the account of a subscriber has sufficient fun or money to cover an amount of requested data.

Regarding claim 22, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 21. Further, Myatt et al. disclose a system wherein said first entity is configured to store data defining an amount of said reserved portion (fig. 1, [0020] to [0058]).

Regarding claim 23, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 21. Further, Myatt et al. disclose a system wherein said first entity is configured to store a reference name in association with data defining the amount of said reserved portion (fig. 1, [0020] to [0058]).

Regarding claim 24, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 23. Further, Myatt et al. disclose a system wherein said data is one of a cost for a unit amount of a payment parameter of at least one service of said plurality of services (fig. 1, [0020] to [0058]).

Regarding claim 25, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 24. Further, Myatt et al. disclose a system wherein said payment parameter is data volume, time, or service parameter of at least one service of said plurality of services (fig. 1, [0020] to [0058]).

Regarding claim 26, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 23. Further, Myatt et al. disclose a system wherein said reference name is a dummy access point name (fig. 1, [0020] to [0058]).

Regarding claim 27, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 23. Further, Myatt et al. disclose a system wherein the reservation requested by said controller to said first entity comprises said reference name (fig. 1, [0020] to [0058]).

Regarding claim 28, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 24. Further, Ephraim et al. disclose a system wherein said information in said first form comprises said unit amount ([0041]).

Regarding claim 29, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 28. Further, Ephraim et al. disclose a system wherein said controller is arranged to convert said unit amount to a corresponding monetary amount to provide said second form ([0040] to [0041]).

Regarding claim 30, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 21. Further, Myatt et al. disclose a system wherein said first entity operates in accordance with a CAMEL protocol (fig. 1, [0020] to [0058]).

Regarding claim 31, the combination of Myatt et al. and Ephraim et al. all the limitation in claim 21. Further, Myatt et al. disclose a system wherein said controller operates in accordance with a RADIUS protocol (fig. 1, [0020] to [0058]).

Regarding claim 32, the combination of Myatt et al. and Ephraim et al. all the limitation in claim 21. Further, Myatt et al. disclose a system wherein said first form comprises at least one of time, data volume, or service access parameter (fig. 1, [0020] to [0058]).

Regarding claim 33, the combination of Myatt et al. and Ephraim et al. all the limitation in claim 21. Further, Ephraim et al. disclose a system wherein said service access parameter comprises at least one of number of clicks or number of accesses ([0041]).

Regarding claim 34, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 21. Further, Ephraim et al. disclose a system wherein said second form comprises monetary value, number of clicks and number of accesses ([0041]).

Regarding claim 37, this claim is rejected for the same reason as set forth in claim 21.

Regarding claim 38, this claim is rejected for the same reason as set forth in claim 21.

Regarding claim 40, this claim is rejected for the same reason as set forth in claim 21.

Regarding claim 41, this claim is rejected for the same reasons as set forth in claim 8.

Regarding claim 42, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 41. Further, Myatt et al. disclose system wherein said requesting means is

configured to monitor how much of said reserved portion has been used by using information defining a cost of said plurality of services (fig. 1, [0020] to [0058]).

Regarding claim 43, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 40. Further, Myatt et al. disclose system wherein said storing means comprises one of: a monetary value; a data amount representative of said amount of money; a time representative of said amount of money; and an amount of a service access parameter (fig. 1, [0020] to [0058]).

Regarding claim 44, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 40. Further, Myatt et al. disclose a system wherein said requesting means comprises a plurality of entities (fig. 1, [0020] to [0058]).

Regarding claim 45, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 40. Further, Myatt et al. disclose a system wherein said requesting means comprises a credit controller (fig. 1, [0020] to [0058]).

Regarding claim 46, the combination of Myatt et al. and Ephraim et al. disclose all the limitation in claim 40. Further, Myatt et al. disclose a system wherein said requesting means is configured to store information relating to a cost of said plurality of services (fig. 1, [0020] to [0058]).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen M Duc can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-7503.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dai Phuong

AU: 2617

Date: 11/01/2007



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